

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN WILEY & SONS, INC., :

Plaintiff, :

-against- :

08 Civ. 7834 (GEL)

SUPAP KIRTSANG D/B/A :

ECF Case

BLUECHRISTINE99 AND JOHN :

DOE NOS. 1-5, :

Defendants. :

- - - - -x

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying declaration of William Dunnegan, sworn to June 17, 2009, and all prior proceedings in this action, plaintiff John Wiley & Sons, Inc. will move this Court before Hon. Gerard E. Lynch, United States District Judge, in Courtroom 6B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, at 9:00 a.m. on July 15, 2009, or as soon thereafter as counsel may be heard, for an order pursuant to the inherent power of the Court:

- (i) adjudging defendant Supap Kirtsaeng ("Kirtsaeng") in civil contempt of the April 27, 2009 order of this Court ("Temporary Order of Attachment") for withdrawing \$6,400 in United States currency from his account at Bank of America on April 28, 2009,

with knowledge of the Temporary Order of Attachment;

- (ii) adjudging Bank of America in civil contempt of the Temporary Order of Attachment for, with knowledge of the Temporary Order of Attachment, allowing Kirtsang to withdraw \$6,400 in U.S. Currency from his account on April 28, 2009;
- (iii) compelling Kirtsang and Bank of America to pay to a receiver, or to plaintiff's counsel, \$6,400 to be held in escrow pending the further order of this Court;
- (iv) fixing an appropriate fine on Kirtsang and Bank of America for their contumacious conduct;
- (v) awarding Wiley its attorneys' fees for this application, jointly and severally, from Kirtsang and Bank of America; and
- (vi) granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1 of the Civil Rules of this Court, responsive papers, if any, shall be served within ten business days after service of these

many papers.

Dated: New York, New York  
June 18, 2009

DUNNEGAN LLC

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